page 1

FAX COVER SHEET

To: USPTO	Date: 05/21/08	,
Art Unit 3636	Date.	
Exr. Winnie S. Yib		•
From: Werner H. Schroeder Patent Agent		
36, 387		
Number of pages including cover sheet:		
Comments:		Com
		enquerer acre
		er y spin on
		و المعادية
James A. Golodo		

RECEIVED **CENTRAL FAX CENTER**

MAY 2 1 -200821 (01-08)

page 2

TRANSMITTAL FORM TRANSMITTAL FORM Total Number of Feges in This Submission ENCLOSURES (Check all that apply) Fee Transmittal Form Fee Attached Drawing(s) Fee Attached Drawing(s) After Final Petition After Final Petition Proprietary information Dever of Attorney, Pevocation, Change of Correspondence Address Terminal Disclaimer Dever of Attorney, Pevocation, Change of Correspondence Address Information Disclaisure Statement Information Disclaisure Statement Request for Retund CD, Number of CD(s) Document(s) Submission of III of the claims under Appeal Submit certain appendix criteria Submit certain appendix criteria Submit certain appendix criteria Signature Werner H, Schroeder Date OS/21/2008 Reg. No. 36.387	Under the Panerwork Reduction Act of 1995	U.S. Pat U.S. Pat opersons are required to respond to a collect	tent and Trademark Office; U.S. DEPARTMENT OF COMMERCE dion of information unless it displays a valid OMB control number.
FORM First Named Inventor Kevin T. Cornelly		Application Number	
FORM First Named Inventor	TRANSMITTAL	Filing Date	07/07/2003
Art Unit Seaminer Name Winnis S, Yie		First Named Inventor	Kevin T. Connelly
Total Number of Pages in This Submission Fee Transmittal Form		Art Unit	3636
Total Number of Peges in This Submission 3			Winnie S, Yip
ENCLOSURES (Check all that apply) Fee Transmittal Form		Attorney Docket Number	
Fee Transmittal Form Fee Transmittal Form	Total Number of Pages in This Submission	9	
Fee Transmittal Form Fee Attached Licensing-related Papers Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC [Appeal Motice, Brief, Reply Brief] Petition After Final After Final After Final Aftidavits/ductaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement CD, Number of CD(s) Landscape Table on CD Remarks Submissio of ell of the claims under Appeal Submit certain appendix criteria Signature Printed name Werner H. Schroeder Date O5/21/2008 Reg. No. 36,387		ENCLOSURES (Check all th	nat apply)
Fee Attached Licensing-related Papers of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Patition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Extension of Time Request Express Abandonment Request Information Disclosure Statement Con Number of CD(s) Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 Signature Printed name Wemer H. Schroeder Date O5/21/2008 Terminal Disclaimer Proprietary Information Proprietary Information Change of Correspondence Address Terminal Disclaimer Proprietary Information Change of Correspondence Address Sistaus Letter Other Enclosure(s) (please Identify below): Submission of ell of the claims under Appeal Submit certain appendix criteria Signature Printed name Wemer H. Schroeder Date O5/21/2008 Reg. No. 36.387	Fee Transmittal Form	Drawing(s)	After Allowance Communication to TC
Amandment/Reply After Final After Final After Final After Final Affidavits/dectaration(s) Extension of Time Request Express Abendonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts Incomplete Application Reply to Missing Parts Under 37 CFR 1.52 or 153 Signature Petition Convert to a Provisional Application Power of Attomey, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD. Number of CD(s) Landscape Table on CD Remarks Submissio of all of the claims under Appeal Submit certain appendix criteria Signature Wemer H. Schroeder Date O5/21/2008 Reg. No. 36,387	Fee Attached	Licensing-related Papers	
After Final After	✓ Amendment/Renhv	Petition	
Affidavits/dectaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Reply to Missing Parts Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 153 Signature Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks Submission of all of the claims under Appeal Submit certain appendix criteria Signature Printed name Werner H. Schroeder Date O5/21/2008 Reg. No. 36,387		1 1	
Extension of Time Request Express Abandonment Request Information Disclosure Statement CD, Number of CD(s) Landscape Table on CD Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Werner H. Schroeder Date 05/21/2008 Other Enclosure(s) (please Identify below): Terminal Disclaimer Delaction Request for Refund CD, Number of CD(s) Landscape Table on CD Remarks Submissio of all of the claims under Appeal Submit certain appendix criteria Submit certain appendix criteria Werner H. Schroeder Date 05/21/2008		Power of Attorney, Revocation	
Express Abandonment Request Express Abandonment Request Information Disclosure Statement CD. Number of CD(s) Lendscape Table on CD Remarks Submissio of all of the claims under Appeal Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Printed name Wemer H. Schroeder Date 05/21/2008 Request for Retund CD. Number of CD(s) Lendscape Table on CD Remarks Submissio of all of the claims under Appeal Submit certain appendix criteria Wemer H. Schroeder Reg. No. 36,387	Affidavits/declaration(s)	Change of Correspondence Ad	divas
Information Disclosure Statement CD. Number of CD(s) Landscape Table on CD Remarks Submissio of all of the claims under Appeal Submit certain appendix criteria Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Werner H. Schroeder Date 05/21/2008 Reg. No. 36,387	Extension of Time Request	Terminal Disclaimer	
Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Werner H. Schroeder Date 05/21/2008 Landscape Table on CD Remarks Submissio of all of the claims under Appeal Submit certain appendix criteria Submissio of all of the claims under Appeal Submit certain appendix criteria Werner H. Schroeder Reg. No. 36,387	Express Abandonment Request	Request for Refund	·
Certified Copy of Priority Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Signature Printed name Oste 05/21/2008 Landscape Table on CD Remarks Submissio of all of the claims under Appeal Submit certain appendix criteria Submit certain appendix criteria Werner H. Schroeder Reg. No. 36,387	Information Disclosure Statement	CD, Number of CD(s)	
Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts, under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Werner H. Schroeder Date 05/21/2008 Submissio of all of the claims under Appeal Submit certain appendix criteria		Landscape Table on CD	
Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Werner H. Schroeder Date 05/21/2008 Submissio of all of the claims under Appeal Submission of all o	Certified Copy of Priority	Remarks	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Wemer H. Schroeder Date 05/21/2008 Réply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Wemer H. Schroeder Reg. No. 36,387	.,		
Reply to Missing Parts under 37 CFR 1.52 or 1 53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Printed name Werner H. Schroeder Date 05/21/2008 Reg. No. 36,387	Incomplete Application	Submit certain appe	Indix criteria
Signature Signature Werner H. Schroeder Date 05/21/2008 Signature Werner H. Schroeder Reg. No. 36,387	Reply to Missing Parts	the state of the s	
Firm Name Signature Printed name Werner H. Schroeder Date 05/21/2008 Reg. No. 36,387	under 57 CFK 1.52 of 1.55	the state of the s	
Signature January January Printed name Werner H. Schroeder Date 05/21/2008 Reg. No. 36,387			
Signature	<u> </u>	TURE OF APPLICANT, ATTOR	NEY, OR AGENT
Printed name Werner H. Schroeder Date 05/21/2008 Reg. No. 36,387	rim Name		·
Printed name	Signature	02 -110	-1
Werner H. Schroeder Date 05/21/2008 Reg. No. 36,387	Drinted de	W. Stere	ence.
38,387	riiikeu name	Werner H. Schroeder	
	Date 05/21/2008	Re	g. No. 36,387
CONTINUE OF TRANSPORTATION			
	•	EPTIFICATE OF TRANSMISSIO	ON/MAILING
CERTIFICATE OF TRANSMISSION/MAILING		·····	
hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	sufficient postage as first class mail in an em	peing facsimile transmitted to the USPTO evelope addressed to: Commissioner for P	or deposited with the United States Postal Service with Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on
Signature Dan H. Glando		Danneth Colon	-do-
Typed or printed name Werner H. Schroeder Date 05/21/2008	lyped or printed name	N	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Combenitality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Christ Information Officer, U.S. Patient and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Before the Board of Appeals and Interferences

Application No. 10/613,946

This communication is a response to a Notification of a Non-Compliant Appeal Brief having a mailing date of 05/08/2008 and setting forth a period of reply of one month which would expire on 07/08/2008.

The notification states that the brief contains a correct copy of claim 1 but does not contain all of the claims on appeal in the amendment filed on 03/25/2006. And sections of "Evidence Appendix" and "Related Proceeding Appendix".

Below appear the missing items".

(ð(viii)

Claims Appendix

1. A shade and rain umbrella combination including a basic umbrella having a shaft and expanding ribs at a top of said shaft, a shade cover placed over said ribs and fastened to a peripheral point at the end of said ribs, said shade cover consisting of a woven mesh fabric for protection against ultraviolet rays of the sun but at the same time allowing ventilation air to pass through said fabric, a separable water proof rain cover is placed over said shade cover in the event of rain, said rain cover is substantially the same size as said shade cover, means for fastening said rain cover to said peripheral point at each of the ends of said ribs, whereby said shade cover is used in sunshine and said rain cover is added in the event of rain but kept

separate otherwise.

- 4. The umbrella combination of claim 1, wherein said means for fastening are flexible eyelets on said rain cover placed over each end of said ribs.
- 9. The umbrella of combination of claim 1 including means for clamping said shaft in an upright position on an object.
- 10. The umbrella of claim 9, wherein said means for clamping has a form of a C-shape clamp.
- 11. The umbrella combination of claim 10, wherein said C-shape has means thereon for orienting and clamping said C-shape clamp in two different directions.
- 16. The umbrella combination of claim 1, wherein said shade cover is constructed of a knitted fabric including HDPE polyethylene mono-tape.

(c) (ix) Evidence Appendix (none)

(c)(x) Related Proceedings Appendix (none)

Werner H. Schroeder

Reg. No. 36,387

Date: 05/21/08